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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,712	06/04/2001	Lanny Gilbert	36968/248471	6729
36192	7590	11/12/2004	EXAMINER	
CANTOR COLBURN LLP 55 GRIFFIN ROAD SOUTH BLOOMFIELD, CT 06002			GEREZGHIER, YEMANE M	
		ART UNIT	PAPER NUMBER	
		2144		

DATE MAILED: 11/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/873,712	GILBERT, LANNY
	Examiner Yemane M Gerezgiher	Art Unit 2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 28 July 2004.

2a) This action is FINAL.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-32 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-32 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 09 July 2001 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_.

**DETAILED ACTION**

**Response to Amendment**

1. The amendment received on 07/28/2004 has been entered.

Claims 1-32 remain pending in this application.

2.

**Response to Arguments**

3. Applicant's arguments with respect to claims 1 and 12 have been considered but are moot in view of the new ground(s) of rejection.

**Claim Rejections - 35 USC § 103**

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1, 3-12, 16, 17, 20-27 and 30-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hegli et al (U.S. Patent Number 6,606,659) hereinafter referred to as Hegli in view of Winters (Publication Number US 20010034635 A1).

As per claim 1, Hegli disclosed (a) an access control mechanism for providing temporary access information based on visitor information. See ABSTRACT, Column 1, Line 62 through Column 2, Line 61, Hegli disclosed a system and method for controlling access to web sites based on a visitors/users record information activities by allowing a limited access to the resources for a limited period of time, (b) a database having a plurality of entries, each entry is an access record assigned to one visitor which contains the temporary access information. See ABSTRACT, Figure 9, Column 1, Line 62 through Column 2, Line 61, and (c) a server control engine for receiving temporary access requests from the visitors for analyzing the temporary access information stored in the database, and for granting temporary access permissions if the visitors have not exceeded an access limit, was taught by Hegli. See Figures 5, 11 and 13, Column 17, Lines 43-67 and Column 18, Line 54 through Column 19, Line 21, Hegli disclosed receiving a request from the visitor/user to access information from the server, where the server calculated/compared the amount of access the visitor/user had against the given limited quota of access and granting temporary access based on a preset limited access amount.

As per claim 3, Hegli disclosed a timer module keeping track of a controlled access to the sites by using a time stamp

indicating a start time of access to the web site resources and end point of allowed access by comparing a current time spent in accessing the site against the allowed time. See Column 17, Lines 43-67.

As per claims 4-8, Hegli disclosed an access record of a user comprising a number of accesses and number of requests where the number of accesses and the number of requests were read and compared against the limited preset access quota. See Figures 11-13, Column 17, Line 43 through Column 19, Line 21.

As per claim 9, Hegli disclosed an access record comprising a user identification code. See Figure 9 and Column 17, Lines 36-38. Hegli disclosed a timer monitoring user's access amount and assigning the timer to the requesting user's access, setting a new timer (See Figure 11, step 868) for new user and *incrementing access number* when a user access the site/page according to a preset limit (claims 10 and 11). See Figures 4, 11 and 13.

As per claim 12, (a) *receiving a request from a visitor to access the site*, See Figure 5 (Hegli disclosed a user/visitor requesting access to a site) Column 7, Lines 27-29, Hegli disclosed receiving a request from a client visitor (b) *identifying the visitor*, See Figure 9, Hegli disclosed identifying the visitor/user by reading user ID from a cookie

found in a client side and (c) *creating an access record for the visitor which identifies the visitor* when the cookie was not found at the client machine by generating a unique user ID (See Figure 9) and *an amount the visitor has accessed the site*, was taught by Hegli. See Figure 13 (where the counter (number of access) to the page was incremented by one and stored in the database and (d) *checking the amount stored in the access record against a preset access limit; and granting access to the visitor if the amount stored in access record does not exceed the preset access limit*, See Figures 11 and 13, Column 17, Lines 43-67 and Column 18, Line 54 through Column 19, Line 21. Hegli disclosed where the server calculated/compared the amount of access the visitor/user had against the given limited quota of access and granting temporary access while the amount of access by the user was under the threshold. Hegli taught logging a received request from the user and incrementing the counter (claims 16,17, 22 and 23). See Figure 12, Step 914 and Column 18, Lines 22-53.

As per claim 20, (a) *receiving a request from a visitor seeking access to the web site*, was taught by Hegli. See Figure 5 (disclosed a user/visitor requesting access to a site) Column 7, Lines 27-29, Hegli disclosed receiving a request from a (b) *identifying the visitor*, See Figure 9, Hegli disclosed

identifying the visitor/user by reading user ID from a cookie found in a client side and (c) *creating an access record for the visitor* when the cookie was not found at the client machine by generating a unique user ID (See Figure 9) *reflecting an amount the visitor has accessed the web site*, was taught by Hegli. See Column, Lines, Hegli disclosed (d) *setting an access allowance limit for the visitor*, was taught by Hegli. See Column, Lines, Hegli disclosed (e) *checking the amount stored in the access record against the access allowance limit*, and (f) permitting access to the web site until the amount in the access record equals the access allowance limit, See Figures 11 and 13, Column 17, Lines 43-67 and Column 18, Line 54 through Column 19, Line 21. Hegli disclosed where the server comparing the amount of access the visitor/user had against the preset quota of access and granting temporary access while the amount of access by the user was under preset quota.

As per claim 21, Hegli disclosed generating an access code. See Figure 9, Steps 726 and 716. Since the teachings of Hegli was performed in a client-server environment obtaining an IP address from the visitor was inherently disclosed, the server must have obtained an IP address of the requesting client in order to identify the requesting client device uniquely.

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As per claim 24, Hegli disclosed setting a number of accesses. See Column 18, Lines 1-21, "the management of a business could set, for example, a 15-minute quota for sites within the Sports category, and a 1-hour time limit per day for sites within the Internet Commerce category and Column 19, Lines 1-3, "For example, a quota parameter might be that the user is allowed 10, 20, 30, 40, 50 or more accesses to a site within the chosen category in any 24-hour period").

As per claim 25, *wherein the access record has an access counter and the method further comprises incrementing the access counter for each login from the visitor.* See Figures 11 and 13, Column 19, Lines 10-15, Hegli disclosed a counter which was incremented by one every time a user accessed the resource at the site.

As per claims 26 and 27, Hegli disclosed a timer module keeping track of a controlled access to the sites by using a time stamp indicating a start time of access to the web site resources and end point of allowed access by comparing a current time spent in accessing the site against the allowed time. See Column 17, Lines 43-67. Hegli disclosed, a cookie analysis module, where a cookie deposited at the client device was obtained from the client device holding authentication information for the user, which was compared against the access.

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limit status of the user access record (claims 30-31). See Column 9, Lines 53-67, and Column 16, Line 51 through Column 17, Line 27 and Figures 9 and 10.

Hegli substantially disclosed the invention as claimed. However, as described in the applicant's remark, Hegli's mechanism of limiting user's access was silent about determining whether the access-requesting user was a registered user or a temporary/visitor and upon determination providing full access of the resources to the registered user and providing a limited access to the temporary visitor user.

An artisan working with the invention of Hegli related to limiting a access in the Internet at the time the invention was made would have been motivated to look for teachings that may have allowed to make a determination whether a content requesting user is a registered user or a temporary visitor to provide limited access to the web contents. In theses arts, Winters disclosed determining whether the user requesting a website access is registered user and if so allowing full access to the website with all options a registered user gets and further if the user is not a registered user allowing limited access to the website as a non-member user. See Page 4-5, Paragraph [0048]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made

to take the teachings of Winters related to determining user membership or registration status in providing access to the website resources and have modified the teachings of Hegli related to limiting user access to a website, because such a modification would help facilitate the process of limiting access to the website resources according to user's registration status. See Page 5, Paragraph [0048].

6. Claims 2, 13-15, 18, 19, 28 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combiner teachings of Hegli et al (U.S. Patent Number 6,606,659) hereinafter referred to as Hegli and Winters (Publication Number US 20010034635 A1) as applied to claims 1, 12 and 20 above in view of Heinz (U.S. Patent Number 5,812,764).

With respect to the rejection made above, the combined teachings of Hegli and Winters disclosed generating a "unique user ID" (claims 2 and 13, See Hegli Figure 9, Step 726). The combined teachings of Hegli and Winters disclosed a timer monitoring user's access amount and assigning the timer to the requesting user's access, setting a new timer (See Hegli Figure 11, step 868) for new user and *incrementing access number* when a user access the site/page according to a preset limit (claim 14). See Figures 4, 11 and 13. The combined teachings of Hegli

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and Winters taught assigning unique identification to the user/visitor and logged the identification to the database record of the visitor (claim 15) See Figure 9, Steps 726 and 716. The combined teachings of Hegli and Winters disclosed a timer timing the user's access to the controlled sites where the timer was timing the limit against the specified limit for a specific visitor/user of the site (claims 18 and 19, See Figures 4 and 11, Column 9, Lines 30-52). The combined teachings of Hegli and Winters substantially disclosed the invention as claimed; however, The combined teachings of Hegli and Winters was silent regarding a password generator and an e-mail server for sending the generated password to the user via e-mail.

However, these features are old and well known in the art, as evidenced by Heinz's teachings with regards to providing a password generator for generating a passwords and an e-mail server for sending the generated passwords or other authentication information to the user via e-mail (See Column 4, Lines 1-65 and Column 8, Lines 14-40). It is respectfully submitted, that it would have been obvious, to one of ordinary skill in the art at the time the invention was made to take the teachings of Heinz related to the password generator and an e-mail server and have modified the teachings of The combined teachings of Hegli and Winters related to controlling access to

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a web site, because enabling a password generator generating hard to break passwords and sending the passwords to the requesting clients using a secured e-mail server would provide a better security to the system and the users that depend on it (See ABSTRACT, Column 2, Lines 42-67).

7. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combiner teachings of Hegli et al (U.S. Patent Number 6,606,659) hereinafter referred to as Hegli and Winters (Publication Number US 20010034635 A1) as applied to claims 1, 12 and 20 above and further in view of what would have been obvious to one of ordinary skill in the art at the time of the invention.

The already combined teachings of Hegli and Winters taught a cookie analysis module, where a cookie deposited at the client device, obtaining the cookie from the client device holding authentication information for the user, which was compared against the access limit status of the user access record. See Column 9, Lines 53-67, and Column 16, Line 51 through Column 17, Line 27 and Figures 9 and 10. The already combined teachings of Hegli and Winters substantially disclosed the invention as claimed, where the cookie comprised user identification information to access the controlled site. However, The already

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combined teaching of Hegli and Winters was silent regarding the specific contents comprised with in the cookie (*the access allowance limit for the visitor and the amount visitor has accessed the site*).

An artisan working with the system of The already combined teachings of Hegli and Winters related to limiting access to web sites would have been aware that Cookies are a general mechanism used by server-side applications to store information in individual browsers usually set/deposited by a server on a client device comprising multiple information such as a user name, last-accessed date and other variables which can be retrieved by the server-side application. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate *the access allowance limit for the visitor and the amount visitor has accessed the site* in the cookie and have modified the teachings of The already combined teachings of Hegli and Winters related to access control to information on the Internet so that a visitor/client could access his/her access limit status offline.

**Conclusion**

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

a. Takahashi et al. (US 6539481 B1) entitled: "Computer resource assignment of a temporary user from a computer

pool of available identifiers" Takahashi teaches determining whether a user is a registered user or a temporary visitor requesting access to web content (For example See Claims 18-20).

b. Ganesan (US 20020013768 A1) entitled: "Dynamic biller list generation" likewise Ganesan teaches determining whether a user is a registered user or a temporary visitor requesting access to web content (For example See Paragraph [0092]).

10. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Yemane Gerezgiher whose telephone number is (571) 272-3925. The examiner can normally be reached on Monday- Friday from 9:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful. The examiner's supervisor, William Cuchlinski, can be reached at (571) 272-3925.

Yemane M. Gerezgiher  
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WILLIAM A. CUCHLINSKI, JR.  
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